

CLARK HILL

RECEIVED

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COMMISSION

2012 JUL 24 PM 3:16

2012 JUL 24 PM 2:41

FEC MAIL CENTER

Clark Hill PLLC  
601 Pennsylvania Avenue NW  
North Building, Suite 1000  
Washington, DC 20004  
T 202.772.0909  
F 202.772.0919  
clarkhill.com

Charles R. Spies  
T 202.572.8663  
F 202.572.8683  
Email: cspies@clarkhill.com

July 24, 2012

Anthony Herman  
General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463  
VIA HAND DELIVERY

MUR # 6613

Re: Complaint against Prosperity for Michigan, and Jennifer Satterlee,  
in her official capacity as Treasurer (FEC ID#: C00518357)

Dear Mr. Herman:

On behalf of Hoekstra for Senate, we respectfully file this complaint against Prosperity for Michigan, a Clark Durant-supporting front group registered as an independent expenditure-only committee, and Jennifer Satterlee, in her official capacity as Treasurer (collectively, "PFM") for flagrant violations of the Federal Election Campaign Act of 1971, as amended (the "Act"), and the Federal Election Commission's (the "Commission") Regulations. Specifically, PFM appears to have knowingly filed false and misleading reports with the Commission for purposes of concealing the identity of its donors.

***Relevant Facts***

PFM filed its Statement of Organization on April 6, 2012 and an amended Statement of Organization on April 30, 2012. On July 13, 2012, PFM filed its July Quarterly Report. In that report, PFM swore under oath that it had no financial activity from April 1, 2012 through June 30, 2012. This report reflects cash-on-hand on line 8 of the summary page as zero. Further, the report does not reflect a single contribution, disbursement or independent expenditure.<sup>1</sup>

<sup>1</sup> See Prosperity for Michigan, July 2012 Quarterly Report, filed July 13, 2012 (attached as Exhibit A).

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July 24, 2012

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On July 23, 2012, PFM filed an amended July Quarterly Report. Amazingly, in its amended filing, PFM reflects total receipts on line 6(c) of the summary page of \$188,500. This total includes major contributions from nine individuals and two corporate entities.<sup>2</sup> According to the dates of these donations, PFM received all contributions prior to June 30, 2012, the end of the July reporting period. In addition, despite the fact that all nine individual contributions far exceed \$200, only two of the nine entries on Schedule A contain the required employer and occupation information.

Coincidentally, on July 23, 2012, the same day it filed its amended July Quarterly Report, PFM filed an independent expenditure report<sup>3</sup> reflecting two expenditures on July 21, 2012 to Media Ad Ventures and Sterling Consulting in amounts of \$275,000 and \$13,628, respectively. The purpose of the expenditure to Media Ad Ventures was "TV Ad" and the purpose of the expenditure to Sterling Consulting was "Management and Strategy." Both expenditures were for the support of Clark Durant ("Durant"), a candidate for U.S. Senate in Michigan, in the upcoming August 7, 2012 primary election. The report is listed as a 48-hour report despite the fact that Michigan's August 7 primary is less than 20 days away from July 21. PFM began running a television ad supporting Durant and blasting his opponent, Pete Hoekstra, on July 21, 2012.<sup>4</sup>

#### *Applicable Law*

The filing of a false or incorrect report is a very serious violation of the Act. The Act requires that a committee report the name, address, occupation and employer of any donor who contributes, in the aggregate, in excess of \$200 per calendar year. 2 U.S.C. § 434(b)(3)(A). Furthermore, Commission regulations require a committee to make a request for occupation and employer when a contribution is solicited and require a follow-up request if such information is not provided at the time of contribution (i.e. "best efforts"). 11 CFR § 104.7.

The requirement to properly disclose information regarding donors to a committee is one of the core provisions of the Act, especially with regard to independent expenditure-only committees and their ability to accept unlimited individual and corporate contributions. It is essential to voters, candidates, reporters and political observers who monitor transparency in politics to have a proper, accurate and truthful accounting of information provided on reports filed with the Commission.

<sup>2</sup> See Prosperity for Michigan, Amended 2012 July Quarterly Report, filed July 23, 2012 (attached as Exhibit B).

<sup>3</sup> See Prosperity for Michigan, 24/48 Hour Notice of Independent Expenditures, filed July 23, 2012 (attached as Exhibit C).

<sup>4</sup> Interestingly, PFM's ad is strikingly similar to an ad paid for and sponsored by Clark Durant's official campaign committee and which began running on the same day. Both ads address the exact same topics, including allegations against Hoekstra about earmarks, raising pay, voting for bailouts and raising debt, and raising the debt ceiling. See PFM's ad at <http://www.youtube.com/watch?v=TLEVpEtU5yg&feature=youtu.be>; see also Durant's campaign ad at [http://www.youtube.com/watch?v=vd5g3\\_mkH-I&feature=youtu.be](http://www.youtube.com/watch?v=vd5g3_mkH-I&feature=youtu.be). Such marked similarities raise serious questions about coordination between PFM and Durant's official campaign.

CLARK HILL

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Thus, the reporting provisions are an essential part of the campaign finance laws. The U.S. Department of Justice describes them as follows:

A treasurer who submits information concerning contributions and expenditures to the FEC, knowing the information to be false, violated 18 U.S.C. 1001. A person involved in a transaction reportable under FECA who attempts to disguise it, or misrepresents its source, purpose or amount, "willfully causes" the treasurer of the recipient committee to furnish false information concerning transaction to the FEC in violation of 18 U.S.C. 2(b) and 1801.<sup>5</sup>

In addition to its periodic reporting requirements, a political committee must file a special notice with the Commission if it makes an independent expenditure exceeding \$1,000 after the 20th day, but more than 24 hours, before the day of an election. The notice must be filed with the Commission within 24 hours after the expenditure is made. 11 CFR §§ 104.5(g)(2); 104.4(c).

#### *Analysis*

It is unconscionable to think that PFM and its Treasurer, Jennifer Satterlee were unaware of any of the committee's eleven large-donor contributions during the July Reporting period when it filed its initial July 2012 Quarterly Report. Every single one of the contributions reflected on PFM's amended July Quarterly Report was received by PFM prior to the June 30, 2012, the last day of the reporting period. It flies in the face of reality that a committee could reflect zero cash on hand and no contributions two days before a report is due, and then just ten days later reflect almost \$200,000 in contributions, stemming back to its first contribution on April 17, 2012 from "Dunigan Brothers Inc." for \$7,000. At best, PFM and Satterlee were unprepared to file PFM's July Quarterly Report, and instead reflected zero activity for the mere purpose of submitting the report by the deadline. Of course, this theory is negated by the fact that PFM filed its initial report on July 13, two days before the July 15 deadline. PFM and Satterlee would have had two whole days to acquire even marginal contributor information to provide at least the bare minimum of disclosure to the public.

Instead, all evidence points toward PFM and Satterlee intentionally reflecting a report of no activity in its initial July 13 filing in order to shield its donors' identities for ten days after the reporting deadline. In doing so, PFM was able to cast a shadow over its financial resources until it used those concealed contributions to fund and disseminate a television attack ad against Pete Hoekstra, the opponent of its favored candidate, Clark Durant. For whatever reason, PFM appears to have had an interest in concealing the true identity of its donors for as long as possible and/or hiding the fact that it had not undertaken "best efforts" to obtain the contributor information required under 2 U.S.C. § 434(b)(3)(A) and 11 CFR § 104.7. Either way, PFM and Satterlee have deliberately concealed PFM's real and true financial activities in direct

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<sup>5</sup> Federal Prosecution of Election Offenses, Seventh Edition (2007), p. 185.

CLARK HILL

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July 24, 2012

Page 4

contravention to the Act and the Commission's Regulations. In doing so, they have denied Michigan voters the disclosure and transparency to which they are entitled under the law.

It should also be noted that when PFM ultimately disclosed its eleven donors in its amended July Quarterly Report, it failed to provide the necessary employer and occupation information for seven out of the nine individual contributors, all of which donated more than \$200 to PFM.

Lastly, according to PFM's recently filed independent expenditure notice, PFM's television ad supporting Durant and attacking Hoekstra was disseminated on July 21, 2011. Michigan's primary election is scheduled for August 7, 2012. For independent expenditure reporting purposes, PFM's television ad was disseminated to the general public within 20 days before the August 7 primary. However, PFM's independent expenditure report, filed July 23, reflects the report as being a 48-hour independent expenditure report. Under 11 CFR §§ 104.5(g)(2) and 104.4(c), PFM was required to file a 24-hour independent expenditure report because its ad was disseminated within 20 days before the primary election. In failing to file this 24-hour report, PFM has not only violated the Commission's disclosure provisions, but it has once again denied Michigan voters the transparency they deserve in the run up to the August 7 primary.

#### ***Treasurer Liability***

As Treasurer for PFM, Jennifer Satterlee has primary responsibility for accurately reporting PFM's receipts and disbursements to the Commission. *See* 2 U.S.C. § 432(c); 11 CFR §§ 102.9; 104.14(d). Consequently, if PFM has misstated its financial activity on its initial 2012 July Quarterly Report, as evidenced above, Ms. Satterlee will be primarily liable for all resulting violations of federal law. Furthermore, in January 2005, the Commission approved a policy statement regarding treasurers in enforcement proceedings. In it, the Commission explained that:

in enforcement actions where a political committee is a respondent, the committee's treasurer will typically be subject to Commission action only in his or her official capacity. However, when information indicates that a treasurer has knowingly and willfully violated the Federal Election Campaign Act (the Act), recklessly failed to fulfill duties specifically imposed by the Act or intentionally deprived himself or herself of facts giving rise to the violation, the Commission will consider the treasurer to have acted in a personal capacity and make findings accordingly.

*See* Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings, 70 Fed. Reg. 3 (Jan. 3, 2005).

CLARK HILL

14044351897

July 24, 2012

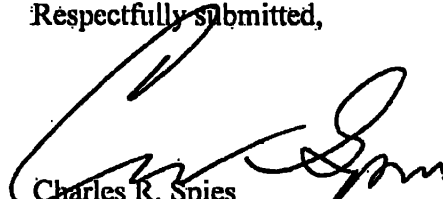
Page 5

With that said, if PFM has intentionally misstated its financial activity, which appears likely in light of the overwhelming evidence presented above, then the Commission should also find Ms. Satterlee to be personally liable for such deliberate misreporting. Knowing and willful violations of federal campaign finance laws are not taken lightly by the Commission, and if the Commission determines that there is probable cause to believe that a knowing and willful violation has occurred in this case, we request that it refer such violations to the U.S. Department of Justice for criminal prosecution. See 2 U.S.C. § 437g(a)(5)(C).

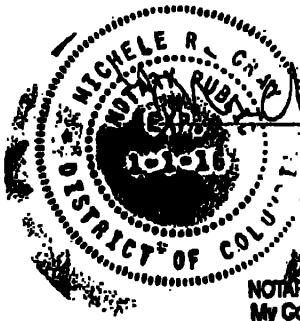
### Conclusion


In light of the foregoing, we respectfully request that the Commission take steps to immediately investigate the potential knowing and willful acts outlined above by PFM and its Treasurer, Jennifer Satterlee, pursuant to 2 U.S.C. § 437g(a)(2). In doing so, the Commission should find reason to believe PFM has violated the Act and the Commission's Regulations, determine and impose appropriate sanctions for any and all violations, and enjoin PFM from any and all violations in the future. We also ask that the Commission impose such additional remedies as are necessary and appropriate to ensure compliance, and refer this matter to the U.S. Department of Justice as necessary. The foregoing is correct and accurate to the best of my knowledge, information and belief.

Respectfully submitted,

  
Charles R. Spies  
Counsel to Hoekstra for Senate

Signed and sworn before me this 24<sup>th</sup> day of July, 2012



  
NOTARY PUBLIC  
MICHELE R. GRAY  
NOTARY PUBLIC DISTRICT OF COLUMBIA  
My Commission Expires January 1, 2016

Enc.

8329298.1337356440006  
CLARK HILL

14044351693

# Exhibit A

Image# 12971426464

PAGE 1 / 5

**FEC  
FORM 3X****REPORT OF RECEIPTS  
AND DISBURSEMENTS**  
For Other Than An Authorized Committee

Office Use Only

1. NAME OF  
COMMITTEE (In full)

TYPE OR PRINT ▼

Example: If typing, type  
over the lines.

12FE4M5

Prosperity For Michigan

ADDRESS (number and street)

201 Townsend

Ste. 923

Check if different  
than previously  
reported. (ACC)

Lansing

MI

48933

2. FEC IDENTIFICATION NUMBER ▼

CITY ▲

STATE ▲

ZIP CODE ▲

C C00518357

3. IS THIS  
REPORT☒NEW  
(N)

OR

☐AMENDED  
(A)4. TYPE OF REPORT  
(Choose One)

(a) Quarterly Reports:

- ☐ April 15  
Quarterly Report (Q1)
- ☒ July 15  
Quarterly Report (Q2)
- ☐ October 15  
Quarterly Report (Q3)
- ☐ January 31  
Year-End Report (YE)
- ☐ July 31 Mid-Year  
Report (Non-election  
Year Only) (MY)
- ☐ Termination Report  
(TER)

(b) Monthly  
Report  
Due On:

- ☐ Feb 20 (M2) ☐ May 20 (M5) ☐ Aug 20 (M8) ☐ Nov 20 (M11)  
(Non-Election  
Year Only)
- ☐ Mar 20 (M3) ☐ Jun 20 (M6) ☐ Sep 20 (M9) ☐ Dec 20 (M12)  
(Non-Election  
Year Only)
- ☐ Apr 20 (M4) ☐ Jul 20 (M7) ☐ Oct 20 (M10) ☐ Jan 31 (YE)

(c) 12-Day  
PRE-Election  
Report for the:

- ☐ Primary (12P) ☐ General (12G) ☐ Runoff (12R)
- ☐ Convention (12C) ☐ Special (12S)

Election on

In the  
State of(d) 30-Day  
POST-Election  
Report for the:

- ☐ General (30G) ☐ Runoff (30R) ☐ Special (30S)

Election on

In the  
State of

5. Covering Period

04

01

2012

through

06

30

2012

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer JENNIFER SATTERLEE

Signature of Treasurer

JENNIFER SATTERLEE

(Electronically Filed)

Date

07

13

2012

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

Office  
Use  
Only**FEC FORM 3X**  
Rev. 12/2004

FE6AN028

14044351900

# SUMMARY PAGE OF RECEIPTS AND DISBURSEMENTS

FEC Form 3X (Rev. 02/2003)

Page 2

Write or Type Committee Name

Prosperity For Michigan

Report Covering the Period:

From:

04 / 01 / 2012

To:

06 / 30 / 2012

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, 2012		0.00
(b) Cash on Hand at Beginning of Reporting Period.....	0.00	
(c) Total Receipts (from Line 19) .....	0.00	0.00
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B) .....	0.00	0.00
7. Total Disbursements (from Line 31) .....	0.00	0.00
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d)) .....	0.00	0.00
9. Debt and Obligations Owed TO the Committee (itemize all on Schedule C and/or Schedule D) .....	0.00	
10. Debts and Obligations Owed BY the Committee (itemize all on Schedule C and/or Schedule D) .....	0.00	



This committee has qualified as a multicandidate committee. (see FEC FORM 1M)

## For further information contact:

Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Toll Free 800-424-9530  
Local 202-694-1100

14044351901



# **DETAILED SUMMARY PAGE** of Receipts

FEC Form 3X (Rev. 06/2004)

Page 3

Write or Type Committee Name

Prosperity For Michigan

Report Covering the Period:

From:

04 / 01 / 2012

To:

06 / 30 / 2012

**I. Receipts**
**COLUMN A**  
Total This Period

**COLUMN B**  
Calendar Year-to-Date
**11. Contributions (other than loans) From:****(a) Individuals/Persons Other**

Than Political Committees

**(i) Itemized (use Schedule A).....**

0.00

0.00

**(ii) Unitemized.....**

0.00

0.00

**(iii) TOTAL (add**

Lines 11(a)(i) and (ii)..... ▶

0.00

0.00

**(b) Political Party Committees.....**

0.00

0.00

**(c) Other Political Committees  
(such as PACs).....**

0.00

0.00

**(d) Total Contributions (add Lines  
11(a)(iii), (b), and (c)) (Carry  
Totals to Line 33, page 5)..... ▶**

0.00

0.00

**12. Transfers From Affiliated/Other  
Party Committees.....**

0.00

0.00

**13. All Loans Received.....**

0.00

0.00

**14. Loan Repayments Received.....**

0.00

0.00

**15. Offsets To Operating Expenditures  
(Refunds, Rebates, etc.)  
(Carry Totals to Line 37, page 5).....**

0.00

0.00

**16. Refunds of Contributions Made  
to Federal Candidates and Other  
Political Committees.....**

0.00

0.00

**17. Other Federal Receipts  
(Dividends, Interest, etc.).....**

0.00

0.00

**18. Transfers from Non-Federal and Levin Funds****(a) Non-Federal Account**

(from Schedule H3).....

0.00

0.00

**(b) Levin Funds (from Schedule H5).....**

0.00

0.00

**(c) Total Transfers (add 18(a) and 18(b))..**

0.00

0.00

**19. Total Receipts (add Lines 11(d),  
12, 13, 14, 15, 16, 17, and 18(c))..... ▶**

0.00

0.00

**20. Total Federal Receipts  
(subtract Line 18(c) from Line 19)..... ▶**

0.00

0.00

14044351902

# **DETAILED SUMMARY PAGE** of Disbursements

FEC Form 3X (Rev. 02/2003)

Page 4

**II. Disbursements**
**COLUMN A**  
Total This Period

**COLUMN B**  
Calendar Year-to-Date

**21. Operating Expenditures:**  
**(a) Allocated Federal/Non-Federal**  
**Activity (from Schedule H4)**

(i) Federal Share .....

0.00

0.00

(ii) Non-Federal Share .....

0.00

0.00

(b) Other Federal Operating  
Expenditures .....

0.00

0.00

(c) Total Operating Expenditures  
(add 21(a)(i), (a)(ii), and (b)) .....

0.00

0.00

**22. Transfers to Affiliated/Other Party**

Committees .....

0.00

0.00

**23. Contributions to**  
**Federal Candidates/Committees**  
**and Other Political Committees .....**

0.00

0.00

**24. Independent Expenditures**

(use Schedule E) .....

0.00

0.00

**25. Coordinated Party Expenditures**  
**(2 U.S.C. §441a(d))**  
**(use Schedule F) .....**

0.00

0.00

**26. Loan Repayments Made .....**

0.00

0.00

**27. Loans Made .....**

0.00

0.00

**28. Refunds of Contributions To:**  
**(a) Individuals/Persons Other**  
**Than Political Committees .....**

0.00

0.00

(b) Political Party Committees .....

0.00

0.00

(c) Other Political Committees  
(such as PACs) .....

0.00

0.00

(d) Total Contribution Refunds  
(add Lines 28(a), (b), and (c)) .....

0.00

0.00

**29. Other Disbursements .....**

0.00

0.00

**30. Federal Election Activity (2 U.S.C. §431(20))**(a) Allocated Federal Election Activity  
(from Schedule H6)

(i) Federal Share .....

0.00

0.00

(ii) "Levin" Share .....

0.00

0.00

(b) Federal Election Activity Paid Entirely  
With Federal Funds .....

0.00

0.00

(c) Total Federal Election Activity (add ..  
Lines 30(a)(i), 30(a)(ii) and 30(b)) .....

0.00

0.00

**31. Total Disbursements (add Lines 21(c), 22,**  
**23, 24, 25, 26, 27, 28(d), 29 and 30(c)) ..**

0.00

0.00

**32. Total Federal Disbursements**  
**(subtract Line 21(a)(ii) and Line 30(a)(ii)**  
**from Line 31) .....**

0.00

0.00

# **DETAILED SUMMARY PAGE** of Disbursements

FEC Form 3X (Rev. 02/2003)

Page 5

III. Net Contributions/Operating Expenditures	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
33. Total Contributions (other than loans) (from Line 11(d), page 3) .....	0.00	0.00
34. Total Contribution Refunds (from Line 28(d)) .....	0.00	0.00
35. Net Contributions (other than loans) (subtract Line 34 from Line 33) .....	0.00	0.00
36. Total Federal Operating Expenditures (add Line 21(a)(i) and Line 21(b)) .....	0.00	0.00
37. Offsets to Operating Expenditures (from Line 15, page 3) .....	0.00	0.00
38. Net Operating Expenditures (subtract Line 37 from Line 36) .....	0.00	0.00

# Exhibit B

Image# 12952584424

PAGE 1 / 9

FEC  
FORM 3XREPORT OF RECEIPTS  
AND DISBURSEMENTS  
For Other Than An Authorized Committee

Office Use Only

1. NAME OF  
COMMITTEE (In full)

TYPE OR PRINT ▼

Example: If typing, type  
over the lines.

12FE4M5

Prosperity For Michigan

ADDRESS (number and street)

201 Townsend

Ste. 923

Check if different  
than previously  
reported. (ACC)

Lansing

MI

48933

2. FEC IDENTIFICATION NUMBER ▼

CITY ▲

STATE ▲

ZIP CODE ▲



C00518357

3. IS THIS  
REPORTNEW  
(N)

OR

AMENDED  
(A)4. TYPE OF REPORT  
(Choose One)

(a) Quarterly Reports:

April 15  
Quarterly Report (Q1)July 15  
Quarterly Report (Q2)October 15  
Quarterly Report (Q3)January 31  
Year-End Report (YE)July 31 Mid-Year  
Report (Non-election  
Year Only) (MY)Termination Report  
(TER)(b) Monthly  
Report  
Due On:

Feb 20 (M2)



May 20 (M5)



Aug 20 (M8)

Nov 20 (M11)  
(Non-Election  
Year Only)

Mar 20 (M3)



Jun 20 (M6)



Sep 20 (M9)

Dec 20 (M12)  
(Non-Election  
Year Only)

Apr 20 (M4)



Jul 20 (M7)



Oct 20 (M10)



Jan 31 (YE)

(c) 12-Day  
PRE-Election  
Report for the:

Primary (12P)



General (12G)



Runoff (12R)



Convention (12C)



Special (12S)

Election on

In the  
State of(d) 30-Day  
POST-Election  
Report for the:

General (30G)



Runoff (30R)



Special (30S)

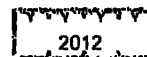
Election on

In the  
State of

5. Covering Period



through



I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer JENNIFER SATTERLEE

Signature of Treasurer

JENNIFER SATTERLEE

[Electronically Filed]

Date



NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

Office  
Use  
OnlyFEC FORM 3X  
Rev. 12/2004

FESAN028

14044351906

# SUMMARY PAGE OF RECEIPTS AND DISBURSEMENTS

FEC Form 3X (Rev. 02/2003)

Page 2

Write or Type Committee Name

Prosperity For Michigan

Report Covering the Period:

From:

04

01

2012

To:

06

30

2012

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, 2012		0.00
(b) Cash on Hand at Beginning of Reporting Period	0.00	
(c) Total Receipts (from Line 19)	188500.00	188500.00
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	188500.00	188500.00
7. Total Disbursements (from Line 31)	0.00	0.00
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	188500.00	188500.00
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	



This committee has qualified as a multicandidate committee. (see FEC FORM 1M)

## For further information contact:

Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Toll Free 800-424-9530  
Local 202-694-1100

# **DETAILED SUMMARY PAGE** of Receipts

FEC Form 3X (Rev. 08/2004)

Page 3

Write or Type Committee Name

Prosperity For Michigan

Report Covering the Period:

From:

04

01

2012

To:

06

30

2012

**I. Receipts****COLUMN A**  
Total This Period**COLUMN B**  
Calendar Year-to-Date**11. Contributions (other than loans) From:****(a) Individuals/Persons Other Than Political Committees****(i) Itemized (use Schedule A).....**

188500.00

188500.00

**(ii) Unitemized.....**

0.00

0.00

**(iii) TOTAL (add Lines 11(a)(i) and (ii).....▶**

188500.00

188500.00

**(b) Political Party Committees.....**

0.00

0.00

**(c) Other Political Committees (such as PACs).....**

0.00

0.00

**(d) Total Contributions (add Lines 11(a)(iii), (b), and (c)) (Carry Totals to Line 33, page 5).....▶**

188500.00

188500.00

**12. Transfers From Affiliated/Other Party Committees.....**

0.00

0.00

**13. All Loans Received.....**

0.00

0.00

**14. Loan Repayments Received.....**

0.00

0.00

**15. Offsets To Operating Expenditures (Refunds, Rebates, etc.) (Carry Totals to Line 37, page 5).....**

0.00

0.00

**16. Refunds of Contributions Made to Federal Candidates and Other Political Committees.....**

0.00

0.00

**17. Other Federal Receipts (Dividends, Interest, etc.).....**

0.00

0.00

**18. Transfers from Non-Federal and Levin Funds****(a) Non-Federal Account****(from Schedule H3).....**

0.00

0.00

**(b) Levin Funds (from Schedule H5).....**

0.00

0.00

**(c) Total Transfers (add 18(a) and 18(b))..**

0.00

0.00

**19. Total Receipts (add Lines 11(d), 12, 13, 14, 15, 16, 17, and 18(c)).....▶**

188500.00

188500.00

**20. Total Federal Receipts (subtract Line 18(c) from Line 19).....▶**

188500.00

188500.00

# **DETAILED SUMMARY PAGE** of Disbursements

FEC Form 3X (Rev. 02/2003)

Page 4

II. Disbursements	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
21. Operating Expenditures:		
(a) Allocated Federal/Non-Federal Activity (from Schedule H4)		
(i) Federal Share .....	0.00	0.00
(ii) Non-Federal Share .....	0.00	0.00
(b) Other Federal Operating Expenditures .....	0.00	0.00
(c) Total Operating Expenditures (add 21(a)(i), (a)(ii), and (b)) .....	0.00	0.00
22. Transfers to Affiliated/Other Party Committees .....	0.00	0.00
23. Contributions to Federal Candidates/Committees and Other Political Committees .....	0.00	0.00
24. Independent Expenditures (use Schedule E) .....	0.00	0.00
25. Coordinated Party Expenditures (2 U.S.C. §441a(d)) (use Schedule F) .....	0.00	0.00
26. Loan Repayments Made .....	0.00	0.00
27. Loans Made .....	0.00	0.00
28. Refunds of Contributions To:		
(a) Individuals/Persons Other Than Political Committees .....	0.00	0.00
(b) Political Party Committees .....	0.00	0.00
(c) Other Political Committees (such as PACs) .....	0.00	0.00
(d) Total Contribution Refunds (add Lines 28(a), (b), and (c)) .....	0.00	0.00
29. Other Disbursements .....	0.00	0.00
30. Federal Election Activity (2 U.S.C. §431(20))		
(a) Allocated Federal Election Activity (from Schedule H6)		
(i) Federal Share .....	0.00	0.00
(ii) "Levin" Share .....	0.00	0.00
(b) Federal Election Activity Paid Entirely With Federal Funds .....	0.00	0.00
(c) Total Federal Election Activity (add Lines 30(a)(i), 30(a)(ii) and 30(b)) .....	0.00	0.00
31. Total Disbursements (add Lines 21(c), 22, 23, 24, 25, 26, 27, 28(d), 29 and 30(c)) ..	0.00	0.00
32. Total Federal Disbursements (subtract Line 21(a)(ii) and Line 30(a)(ii) from Line 31) .....	0.00	0.00



# **DETAILED SUMMARY PAGE** of Disbursements

FEC Form 3X (Rev. 02/2003)

Page 5

III. Net Contributions/Operating Expenditures	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
33. Total Contributions (other than loans) (from Line 11(d), page 3) .....	188500.00	188500.00
34. Total Contribution Refunds (from Line 28(d)) .....	0.00	0.00
35. Net Contributions (other than loans) (subtract Line 34 from Line 33) .....	188500.00	188500.00
36. Total Federal Operating Expenditures (add Line 21(a)(i) and Line 21(b)) .....	0.00	0.00
37. Offsets to Operating Expenditures (from Line 15, page 3) .....	0.00	0.00
38. Net Operating Expenditures (subtract Line 37 from Line 36) .....	0.00	0.00

**SCHEDULE A (FEC Form 3X)**  
**ITEMIZED RECEIPTS**

 Use separate schedule(s)  
 for each category of the  
 Detailed Summary Page

 FOR LINE NUMBER:  
 (check only one)

PAGE 6 OF 9

<input checked="" type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input type="checkbox"/> 11c	<input type="checkbox"/> 12
<input type="checkbox"/> 13	<input type="checkbox"/> 14	<input type="checkbox"/> 15	<input type="checkbox"/> 16
<input type="checkbox"/> 17			

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

 NAME OF COMMITTEE (in Full)  
 Prosperity For Michigan

 Full Name (Last, First, Middle Initial)  
 A. Stephen Brownell

Mailing Address 306 Provincial Rd

City	State	Zip Code
Gross Pointe	MI	48236

FEC ID number of contributing federal political committee.

☒

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

15000.00

Date of Receipt

05	23	2012
----	----	------

Transaction ID : SA11AI.4143

Amount of Each Receipt this Period

15000.00

 Full Name (Last, First, Middle Initial)  
 B. Daniel Carroll

Mailing Address 671 Orchard Ridge Rd

City	State	Zip Code
Bloomfield	MI	48304

FEC ID number of contributing federal political committee.

☒

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

62500.00

Date of Receipt

05	16	2012
----	----	------

Transaction ID : SA11AI.4141

Amount of Each Receipt this Period

62500.00

 Full Name (Last, First, Middle Initial)  
 C. Dunigan Brothers Inc.

Mailing Address

City	State	Zip Code
Jackson	MI	49203

FEC ID number of contributing federal political committee.

☒

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

7000.00

Date of Receipt

04	17	2012
----	----	------

Transaction ID : SA11AI.4142

Amount of Each Receipt this Period

7000.00

SUBTOTAL of Receipts This Page (optional).....▶

84500.00

TOTAL This Period (last page this line number only).....▶

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**SCHEDULE A (FEC Form 3X)**  
**ITEMIZED RECEIPTS**

 Use separate schedule(s)  
 for each category of the  
 Detailed Summary Page

 FOR LINE NUMBER: PAGE 7 OF 9  
 (check only one)  
☒ 11a ☐ 11b ☐ 11c ☐ 12  
☐ 13 ☐ 14 ☐ 15 ☐ 16 ☐ 17

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

Prosperity For Michigan

Full Name (Last, First, Middle Initial)

A. JM Jung

Mailing Address 2677 W 12 Mile Rd

 City State Zip Code  
 Southfield MI 48034

FEC ID number of contributing federal political committee.

C

Name of Employer

Self

Occupation

Executive

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

25000.00

Date of Receipt

05 / 07 / 2012

Transaction ID : SA11AI.4140

Amount of Each Receipt this Period

25000.00

Full Name (Last, First, Middle Initial)

B. Patrick Karzic

Mailing Address 1 Elmsleigh Ln

 City State Zip Code  
 Gross Pointe MI 48230

FEC ID number of contributing federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

15000.00

Date of Receipt

06 / 26 / 2012

Transaction ID : SA11AI.4149

Amount of Each Receipt this Period

15000.00

Full Name (Last, First, Middle Initial)

C. Robert Liggett Jr.

Mailing Address 625 Lake Shore Rd

 City State Zip Code  
 Gross Pointe Shores MI 48236

FEC ID number of contributing federal political committee.

C

Name of Employer

self

Occupation

attorney

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

15000.00

Date of Receipt

06 / 14 / 2012

Transaction ID : SA11AI.4145

Amount of Each Receipt this Period

15000.00

SUBTOTAL of Receipts This Page (optional).....▶

55000.00

TOTAL This Period (last page this line number only).....▶

**SCHEDULE A (FEC Form 3X)**  
**ITEMIZED RECEIPTS**

 Use separate schedule(s)  
 for each category of the  
 Detailed Summary Page

 FOR LINE NUMBER: PAGE 8 OF 9  
 (check only one)  
☒ 11a ☐ 11b ☐ 11c ☐ 12  
☐ 13 ☐ 14 ☐ 15 ☐ 16 ☐ 17

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

 NAME OF COMMITTEE (In Full)  
 Prosperity For Michigan

Full Name (Last, First, Middle Initial)

A. Joseph F Luther

Mailing Address 25872 Cheyenne Dr

 City State Zip Code  
 Novi MI 48374

 FEC ID number of contributing  
 federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

10000.00

Date of Receipt

06 / 26 / 2012

Transaction ID : SA11AI.4148

Amount of Each Receipt this Period

10000.00

Full Name (Last, First, Middle Initial)

B. Midwest Steel

Mailing Address 2525 E Grand Blvd

 City State Zip Code  
 Detroit MI 48211

 FEC ID number of contributing  
 federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

9500.00

Date of Receipt

06 / 26 / 2012

Transaction ID : SA11AI.4151

Amount of Each Receipt this Period

9500.00

Full Name (Last, First, Middle Initial)

C. Leslie Rose

 Mailing Address 300 S. Ocean Blvd  
 Apt 3B

 City State Zip Code  
 Palm Beach FL 33480

 FEC ID number of contributing  
 federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

3000.00

Date of Receipt

06 / 24 / 2012

Transaction ID : SA11AI.4144

Amount of Each Receipt this Period

3000.00

SUBTOTAL of Receipts This Page (optional)..... ►

22500.00

TOTAL This Period (last page this line number only)..... ►

**SCHEDULE A (FEC Form 3X)**  
**ITEMIZED RECEIPTS**

 Use separate schedule(s)  
 for each category of the  
 Detailed Summary Page

 FOR LINE NUMBER:  
 (check only one)

PAGE 9 OF 9

<input checked="" type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input type="checkbox"/> 11c	<input type="checkbox"/> 12
<input type="checkbox"/> 13	<input type="checkbox"/> 14	<input type="checkbox"/> 15	<input type="checkbox"/> 16
<input type="checkbox"/> 17			

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

 NAME OF COMMITTEE (in Full)  
 Prosperity For Michigan

Full Name (Last, First, Middle Initial)

A. Robert Thompson

Mailing Address PO Box 6349

City

Plymouth

State

MI

Zip Code

48170

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐ Primary  
☐ Other (specify) ▼

☐ General

Aggregate Year-to-Date ▼

25000.00

Date of Receipt

06 / 25 / 2012

Transaction ID : SA11AI.4147

Amount of Each Receipt this Period

25000.00

Full Name (Last, First, Middle Initial)

B. Joseph Thorrez

Mailing Address 2080 South Shore Dr.

City

Clarklake

State

MI

Zip Code

49234

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐ Primary  
☐ Other (specify) ▼

☐ General

Aggregate Year-to-Date ▼

1500.00

Date of Receipt

06 / 30 / 2012

Transaction ID : SA11AI.4150

Amount of Each Receipt this Period

1500.00

Full Name (Last, First, Middle Initial)

C.

Mailing Address

City

State

Zip Code

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐ Primary  
☐ Other (specify) ▼

☐ General

Aggregate Year-to-Date ▼

Date of Receipt

06 / 30 / 2012

Amount of Each Receipt this Period

SUBTOTAL of Receipts This Page (optional).....▶

26500.00

TOTAL This Period (last page this line number only).....▶

188500.00

# Exhibit C

# 24/48 HOUR NOTICE OF INDEPENDENT EXPENDITURES

(SCHEDULE E)

PAGE 1 OF 1  
FOR SE OF FORM 24/48

NAME OF COMMITTEE (In Full) <b>Prosperity For Michigan</b>		FEC IDENTIFICATION NUMBER ▼ <b>C00518357</b>	
Check If <input type="checkbox"/> 24-hour report <input checked="" type="checkbox"/> 48-hour report <input checked="" type="checkbox"/> New report <input type="checkbox"/> Amends report filed on			
Full Name (Last, First, Middle Initial) of Payee <b>Media Ad Ventures</b>		Date 07 / 21 / 2012	
Mailing Address <b>816 Old Keene Mills Rd</b> <b>Suite A300</b>		Amount <b>275000.00</b>	
City <b>Springfield</b>	State <b>VA</b>	Zip Code <b>22152</b>	
Purpose of Expenditure <b>Tv Ad</b>	Category/Type	Transaction ID : <b>SE.4171</b>	
Name of Federal Candidate Supported or Opposed by Expenditure: <b>CLARK DURANT</b>		Office Sought: <input type="checkbox"/> House <input checked="" type="checkbox"/> Senate <input type="checkbox"/> President State: <b>MI</b> District: _____	
Check One: <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose		Disbursement For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General 2012 <input type="checkbox"/> Other (specify) _____	
Calendar Year-To-Date Per Election for Office Sought <b>275000.00</b>			
Full Name (Last, First, Middle Initial) of Payee <b>Sterling Consulting</b>		Date 07 / 21 / 2012	
Mailing Address <b>112 E. Allegan</b> <b>Suite 700</b>		Amount <b>13628.00</b>	
City <b>Lansing</b>	State <b>MI</b>	Zip Code <b>48933</b>	
Purpose of Expenditure <b>Management and Strategy</b>	Category/Type	Transaction ID : <b>SE.4170</b>	
Name of Federal Candidate Supported or Opposed by Expenditure: <b>CLARK DURANT</b>		Office Sought: <input type="checkbox"/> House <input checked="" type="checkbox"/> Senate <input type="checkbox"/> President State: <b>MI</b> District: _____	
Check One: <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose		Disbursement For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General 2012 <input type="checkbox"/> Other (specify) _____	
Calendar Year-To-Date Per Election for Office Sought <b>288628.00</b>			
(a) SUBTOTAL of Itemized Independent Expenditures.....		<b>288628.00</b>	
(b) SUBTOTAL of Unitemized Independent Expenditures .....			
(c) TOTAL Independent Expenditures.....		<b>288628.00</b>	
Under penalty of perjury I certify that the independent expenditures reported herein were not made in cooperation, consultation, or concert with, or at the request or suggestion of, any candidate or authorized committee or agent of either, or (if the reporting entity is not a political party committee) any political party committee or its agent.			
Signature <b>JENNIFER SATTERLEE</b>		Date 07 / 23 / 2012	
[Electronically Filed]			

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## Prosperity for Michigan

201 Townsend Ste. 923, Lansing, MI 48933  
Phone: 517-374-9168 Email: jen.satterlee12@gmail.com

Statement by Jen Satterlee, Treasurer

FEDERAL ELECTION  
COMMISSION

2012 AUG 16 PM 12:32

OFFICE OF GENERAL  
COUNSEL

August 8, 2012

MUR 6613

Anthony Herman  
General Counsel  
Federal Election Commission  
999 E. Street, NW  
Washington, DC 20463

Re: In response to complaint received by the FEC from Charles R. Spies of  
Clark Hill about Prosperity for Michigan ("Committee") (FEC ID#:  
C00518357)

Dear Mr. Herman:

I have enclosed my Affidavit in response to a letter received by the FEC (dated July 31, 2012) regarding a complaint filed by Charles R. Spies of Clark Hill. I wish for this matter to be made public. Please contact me if you have any questions at 517-374-9168.

Respectfully Submitted,



Jen Satterlee

*Treasurer, Prosperity for Michigan*

Enclosures:

1. Affidavit



STATE OF MICHIGAN)

COUNTY OF INGHAM)

RECEIVED  
JUL 16 2012

2012 AUG 16 PM 12:32

OFFICE OF JUDICIAL  
COUNSEL

**AFFIDAVIT OF JENNIFER SATTERLEE**

Jennifer Satterlee, being duly sworn, deposes and says:

1. I am an intern at McLellan Law Offices, 201 Townsend Ste. 926, Lansing, MI 48933. I was asked to serve as treasurer of the Committee and file the required reports.
2. Prosperity for Michigan is an independent expenditure only committee (a/k/a a "SuperPAC") as described in paragraph 4 at [http://www.fec.gov/ans/answers\\_pac.shtml](http://www.fec.gov/ans/answers_pac.shtml).
3. The Committee was registered with the Federal Election Commission ("FEC") in April 2012.
4. Since inception, I have filed on behalf of the Committee:
  - a. Statement of Organization was filed with FEC. Committee became official on April 6, 2012.
  - b. Amended Statement of Organization to change name of bank and add designated agent as assistant treasurer.
  - c. July Quarterly on July 13, 2012 (from April to June 30). No expenditures had been made and none was reported. No receipts were reported, but the Committee had received \$188,500.
  - d. Amendment to July Quarterly on July 23 filed, after talking with FEC representative. \$188,500 in receipts was reported 8 days late. This was an error on my part because I thought since the Committee is an independent expenditure only committee, that I had to report independent expenditures *only*. While I was on the phone with the Committee's FEC analyst, Sarah (last name unknown), getting help with my first independent expenditure 48 hour report, I asked what the disbursements and receipts tab meant in the FEC online system, and she told me it was for contributors. Not realizing I had to report the contributors, I asked her what I could do to fix my previous report and add them to it. Then she walked me through how to file the amendment so the report could reflect the contributions I hadn't reported on the previous Quarterly report.
  - e. 48 Hour Notice of independent expenditures filed on July 23, 2012. \$288,628 total including:
    - i. \$275,000 to Media Ad Ventures for TV ads.
    - ii. \$13,628 to Sterling Consulting for "management and strategy."
  - f. 48 Hour Notice of Independent Expenditures filed on July 24, 2012. \$125,000 to Media Ad Ventures for TV ads. I realized after re-reading my literature carefully about filing requirements, that I should not have marked the 48 hour report box because left unchecked, the report is automatically a 24 hour report. My

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subsequent reports have all been 24 hour since the two initial independent expenditure reports.

- g. 12 day pre-primary report filed on July 26. (I asked Sarah, the Committee's FEC analyst about what to put for people who still hadn't sent their occupation/employer info, and she said to put in the report info requested, and then to file an amendment when I get everyone's information. I have requested employer and occupation information from all the contributors and am still waiting to get everyone's information so I can file just one amendment).
- h. 24 hour report filed July 26 totaling \$12,609.44
  - i. \$396 to Grosse Pointe News for advertising
  - ii. \$4500 to Combat Data for advertising
  - iii. \$3,788.44 to Litho Printing Service for printing
  - iv. \$3,925 to Marketing Dialogue for telemarketing
- i. 24 hour report filed July 27 totaling \$40,000
  - i. \$40,000 to Media Ad Ventures for TV ad
- j. 24 hour report filed July 30 totaling \$36,960.17
  - i. \$1,960.17 to Independent News Papers for advertising
  - ii. \$35,000 to Media Ad Ventures for TV ad
- k. 24 hour report filed July 31 totaling \$105,027.17
  - i. \$92,000 to Media Ad Ventures for TV ad
  - ii. \$13,027 to Alfano Communications for TV ad
- l. 24 hour report filed August 6 totaling \$17,132.62
  - i. \$15,000 to Media Ad Ventures for TV ad
  - ii. \$2132.62 to Alfano Communications for TV ad

5. The Commission states that:

The date that a communication is publicly disseminated serves as the date the expenditure is "made."

Both of the two 48 hour reports were filed within the 24 hour period required for notice of Independent Expenditures. The TV ad ran on July 23, and the two 48 hour reports were filed with the FEC on July 23 and July 24.

6. I never knowingly filed false and misleading reports with the Commission for purposes of concealing the identity of the Committee's donors. There was never any attempt or intention on my part to disguise any information from the public regarding donors' identities or any information of any kind.

I did not deliberately make any of the mistakes I made during my first attempts at filing the Committee's reports with the FEC. This can be evidenced by my frequent phone calls to the Committee's FEC analyst, Sarah (last name unknown), for help and questions.

I have made my best effort to maintain proper record keeping with the FEC on behalf of Prosperity for Michigan.

7. To the best of my knowledge there has never been any kind of coordination between Prosperity for Michigan and "The American Way", Clark Durant's official campaign.

Further affiant saith not.



JENNIFER SATTERLEE

Subscribed and sworn to before me this 8 day of August 2012.



Notary Public

ANGELA WALTZ  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF EATON  
MY COMMISSION EXPIRES Jan 4, 2015  
ACTING IN COUNTY OF MICHIGAN

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